

Rx News Bulletin

Bureau of Narcotics & Dangerous Drugs

Missouri Department of Health and Senior Services

health.mo.gov/safety/bnidd/index.php

New Dispensing Laws Regarding Out-of-State Prescriptions

Effective August 28, 2012, new amendments to Section 195.060.2, RSMo have been added addressing how Missouri pharmacies may dispense controlled substance prescriptions. This new section states:

A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that the:

- (1) Prescription was issued according to and in compliance with the applicable laws of that state and the United States; and
- (2) Quantity limitations in subsection 2 of section 195.080 apply to prescriptions dispensed to patients located in this state.

Additional information is located on BNDD's web page at www.health.mo.gov/BNDD and click on What's New.

The easiest way to interpret a given scenario is to ask if both the prescriber and the patient are from Missouri.

- If both the prescriber and the patient are from Kansas, then a Missouri pharmacy may fill the prescription according to the quantities allowed by Kansas. The dispensing limits of the other state only apply if both the prescriber and the patient are from that other state.

- If either the prescriber or the patient are from Missouri, then pharmacies must follow the dispensing limits set forth in Section 195.080.2, RSMo. These are the same limits that have always existed and the Missouri limits have not changed.
 - Schedules 3, 4, 5 can receive a maximum of a 90-day supply with one prescription;
 - Most Schedule 2 prescriptions are written for 30 days or less;
 - If any Schedule 2 prescription exceeds 30 days, the prescriber must document a medical reason for the extended supply, but the total amount cannot exceed 90 days;
 - In all cases, a controlled substance prescription is only valid for 6 months from the date it was signed.
 - This means that an out-of-state, mid-level practitioner could prescribe a Schedule 2 drug, provided that their home state allows it.

There is a law that limits Missouri mid-level practitioners to Schedule 3, 4, 5 only and limited quantities for opiates. This law limiting their authority is in their practice act statutes is 334.747.1, RSMo. The Schedule 2 prohibition and quantity limits only apply to prescriptions prescribed by Missouri mid-level practitioners and do not apply to those written by out of state mid-level practitioners.

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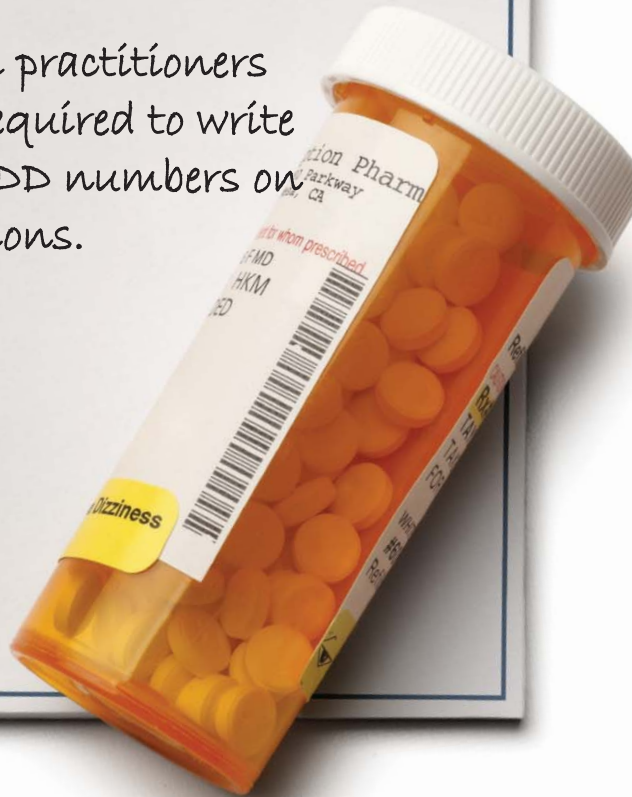
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PRESCRIBER & LOCATION	PATIENT IN MISSOURI	PATIENT OUT-OF-STATE
MISSOURI DOCTORS	May prescribe Schedules 2, 3, 4, 5 • Schedules 3, 4, 5, = 90 day maximum; • Most Schedule 2 for 30 days or less; • Schedule 2 for 31 to 90 days must have documented medical reason for extended supply; • Prescriptions are only valid for 6 months from date written; • No prescription may be refilled more than 5 times.	May prescribe Schedules 2, 3, 4, 5 • Schedules 3, 4, 5, = 90 day maximum; • Most Schedule 2 for 30 days or less; • Schedule 2 for 31 to 90 days must have documented medical reason for extended supply; • Prescriptions are only valid for 6 months from date written; • No prescription may be refilled more than 5 times.
MISSOURI APRN	May prescribe Schedules 3, 4, 5 only. May NOT prescribe Schedule 2. • Schedules 3 opiates are limited to a 5-day or 120 hour supply, with no refill; • Non-opiate Schedule 3, and all of Schedules 4 & 5 may be prescribed as normal. • Maximum 90 day supply on one prescription; • Refills limited to 5; • Rx are only valid for 6 months from date signed. • Rx has DEA#, but not BNDD#.	May prescribe Schedules 3, 4, 5 only. May NOT prescribe Schedule 2. • Schedules 3 opiates are limited to a 5-day or 120 hour supply, with no refill; • Non-opiate Schedule 3, and all of Schedules 4 & 5 may be prescribed as normal. • Maximum 90 day supply on one prescription; • Refills limited to 5; • Rx are only valid for 6 months from date signed. • Rx has DEA#, but not BNDD#.
MISSOURI PHYSICIAN ASSISTANT	May prescribe Schedules 3, 4, 5 only. May NOT prescribe Schedule 2. • All Schedule 3 drugs are limited to a 5-day or 120 hour supply, with no refill; • Schedules 4 & 5 may be prescribed as normal. • Maximum 90 day supply on one prescription; • Refills limited to 5; • Rx are only valid for 6 months from date signed. • Rx has DEA#, but not BNDD#.	May prescribe Schedules 3, 4, 5 only. May NOT prescribe Schedule 2. • All Schedule 3 drugs are limited to a 5-day or 120 hour supply, with no refill; • Schedules 4 & 5 may be prescribed as normal. • Maximum 90 day supply on one prescription; • Refills limited to 5; • Rx are only valid for 6 months from date signed. • Rx has DEA#, but not BNDD#.
OUT-OF-STATE PRESCRIBERS	May prescribe according to the authority of their home state. <u>Missouri quantity limits apply</u> as listed in Section 195.080. Missouri mid-level practitioner C-2 prohibition and C-3 quantity limits do <u>not</u> apply.	May prescribe according to the authority of their home state. The quantity limits of that home state apply. Missouri mid-level practitioner C-2 prohibition and C-3 quantity limits do <u>not</u> apply.

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EFFECTIVE AUGUST 28

Mid-level practitioners are not required to write their BNDD numbers on prescriptions.



Mid-Level Practitioners' BNDD Numbers Not Required on Prescriptions

The previous statute required pharmacies to place the BNDD numbers of some mid-level practitioners on the dispensing bottles when dispensing controlled substance prescriptions. This law has been changed.

Effective August 28, 2012, there is no requirement for mid-level practitioners to write their BNDD numbers on prescriptions or have these numbers printed on dispensing labels.

Taking Controlled Substances on Medical Missions



The DEA has an office and program that specifically works with practitioners who are performing medical missions. The practitioners must comply with federal laws for exporting their drugs and also insure the drug activity will be allowed in the country of destination.

Practitioners may visit the DEA website at www.deadiversion.usdoj.gov/imp_exp/med_missions.htm. This link provides information on what registrations are required and provides a check list of items that will need to be accomplished by the practitioner.

Assistance With Federal DEA Registrations

If practitioners have any questions or are in need of assistance in applying for their federal DEA registration, the DEA's field office in St. Louis has registration technicians available.

Contact:

Drug Enforcement Administration
Registrations
317 South 16th Street
St. Louis, MO 63103

Phone: (314) 538-4600
Toll Free #: (888) 803-1179
Fax: (314) 538-4622

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